

### REMARKS

Applicants appreciate the Examiner's thorough review of the present application, and respectfully request reconsideration in light of the preceding amendments and the following remarks.

Claims 1-18 are pending in the application. Claims 1-6 have been amended to improve claim language. Claims 7-18 have been added to provide Applicants with the scope of protection to which they are believed entitled. No new matter has been introduced through the foregoing amendments.

The Examiner's indication of allowable subject matter of claims 4 and 6 is noted with appreciation. Claim 4 has been rewritten in independent form with minor changes to improve claim language. Allowance of claims 4 and 6 is believed appropriate and therefore courteously solicited.

The 35 U.S.C. 103(a) rejections of claims 1-3, and 5 as being obvious over *Berlik* (U.S. Patent No. 4,413,611), alone or in view of *Gann* (U.S. Patent No. 4,626,193) are noted. Independent claim 1 has been amended to overcome these rejections.

In particular, independent claim 1 now requires that the second terminal of the hand-operated switch is **grounded**. The Examiner argues that it would have been obvious to a person of ordinary skill in the art to connect the hot, neutral and ground lines to enable the circuit of *Berlik* to perform. As clearly depicted in FIG. 12, and described in column 5, lines 33-40 of *Berlik*, the middle line going out from plug 240 must be the ground line. The other two lines (uppermost and lowermost) going out from plug 240 must be the hot line and the neutral line. Thus, the uppermost line going out from plug 240 to switches 251-254 must be either the hot line or the neutral line. It might have been obvious to a person of ordinary skill in the art to use either the hot line or the neutral line for the uppermost line going out from plug 240. However, it would not have been

obvious to use the ground line for the uppermost line going out from plug 240, because it runs counter to the *Berlik* teachings mentioned above and would render the gas lighter unsafe. For example, when the uppermost line going out from plug 240 is the ground line, the middle line must be either the hot line or the neutral line which will cause permanent, undesirable presence of a non-ground potential (from the hot or neutral lines) on the burners 134, 181. Thus, it would not have been obvious to modify *Berlik* to arrive at the invention of amended claim 1.

The added feature is not founded in or suggested by the other teaching reference of *Gann*.

Accordingly, Applicants respectfully submit that amended claim 1 is patentable over the applied references. Claims 2-3, 5, and 7 depend from claim 1, and are considered patentable at least for the reason advanced with respect to amended claim 1. Claims 2-3, 5, and 7 are also patentable on their own merits since these claims recite other features of the invention neither disclosed, taught nor suggested by the applied art.

For example, as to claim 5, the Examiner argues that *Gann* teaches a SCR at Q1. Applicants respectfully disagree, because Q1 of *Gann* is a transistor not an SCR. It is acknowledged that *Gann* teaches an SCR at element 21 (FIG. 1). However, element 21 of *Gann* does not read on the claimed electronically controlled switch. Therefore, Applicants respectfully submit that the applied references, especially *Gann*, fail to disclose, teach or suggest the invention of claim 5.

New independent claim 8 is patentable over the applied references, because the references fail to disclose, teach or suggest an electric gas lighter for a gas range, comprising a lighting circuit being connectable to a power source for generating sparks at at least one burner of the gas range, said lighting circuit having an enabling node and being configured so that a capability of said lighting circuit to generate sparks depends on presence or absence of a reference potential on said node; at least one hand-operated switch for said at least one burner, said switch having a first

contact and a second contact which is connected to said reference potential; and a connecting element connecting said switch and said lighting circuit, said connecting element **consisting essentially of a single insulated wire** that connects the first contact of said switch with said node of said lighting circuit, whereby switching operations of said switch cause said reference potential to be applied to or removed from said node. New claim 8 finds solid support in the original specification (page 3, lines 13-16 and page 6, lines 10-12) and the drawing. As can be seen in FIG. 12 of *Berlik*, there are two lines each connected to one contact of switches 251-254.

Claims 9-16 depend from claim 8, and are considered patentable at least for the reason advanced with respect to claim 8. Claims 9-16 are also patentable on their own merits since these claims recite other features of the invention neither disclosed, taught nor suggested by the applied art.

As to claim 9, the applied references fail to disclose, teach or suggest that the **second contact of said switch is electrically connected to said conducting part of the gas range**.

As to claim 10, the applied references fail to disclose, teach or suggest that **the reference potential is the ground potential**. In *Berlik*, the “reference” potential is the potential of either the hot line or the neutral line.

As to claim 11, the applied references fail to disclose, teach or suggest that a voltage of said power source is provided between at least two lines, which include a hot line and a neutral line, and **said voltage is not present between said first and second contacts** of said switch regardless of whether said switch is open or closed. The voltage between the hot line and the neutral line must be present between the contacts of switches 251-254 when the switches are open.

As to claims 12-16, the applied references fail to disclose, teach or suggest the claimed **voltage divider**.

New independent claim 17 is patentable over the applied references, because the references fail to disclose, teach or suggest at least the claimed second switching means for controllably **grounding the control node** to turn on or off said first switching means.

Claim 18 depends from claim 17, and should be considered patentable at least for the reason advanced with respect to claim 17. Claim 18 is also patentable on its own merit since the applied art fails to disclose, teach or suggest the claimed connecting means for connecting said first and second switches, said connecting means **consisting essentially of a single insulated wire**.


Each of the Examiner's rejections has been overcome. Accordingly, Applicants respectfully submit that all claims are now in condition for allowance. Early and favorable indication of allowance is courteously solicited.

The Examiner is invited to telephone the undersigned, Applicant's attorney of record, to facilitate advancement of the present application.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 07-1337 and please credit any excess fees to such deposit account.

Respectfully submitted,

**LOWE HAUPTMAN GILMAN & BERNER, LLP**



Benjamin J. Hauptman  
Registration No. 29,310

*USPTO Customer No. 22429*  
1700 Diagonal Road, Suite 310  
Alexandria, VA 22314  
(703) 684-1111 BJH/KL/klb  
(703) 518-5499 Facsimile  
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